



ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

No. 14 of 1955

An Act to provide for compensation for loss arising from measures to eradicate fruit fly and to amend the Fruit Fly Act, 1947-1953.

[Assented to 20th October, 1955.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :—

Short titles.

1. (1) This Act may be cited as the "Fruit Fly Act Amendment Act, 1955".

(2) The Fruit Fly Act, 1947-1953, as amended by this Act, may be cited as the "Fruit Fly Act, 1947-1953".

(3) The Fruit Fly Act, 1947-1953, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 4—
Right to compensation.

3. Section 4 of the principal Act is amended by striking out subsection (2a) thereof.

Re-enactment of schedule to the principal Act.

4. The schedule to the principal Act is struck out and the following schedule inserted in its place :—

THE SCHEDULE.

Date of Proclamation.	Date and Page of <i>Gazette</i> .
31/1/47	31/1/47, page 583
11/2/47	11/2/47, page 633
20/2/47	20/2/47, pages 683 and 684
4/8/49	4/8/49, page 294
26/11/53	26/11/53, page 1307

5. (1) Any person who suffers loss by reason of— Compensation.

- (a) any of the acts to which this section applies ; or
- (b) being prohibited from removing fruit from any land by the proclamation made under the Vine, Fruit, and Vegetable Protection Act, 1885-1936, on the thirty-first day of December, nineteen hundred and fifty-four and published in the *Gazette* of the sixth day of January, nineteen hundred and fifty-five at page 1,

shall be entitled to compensation for that loss as provided in the principal Act.

(2) This section shall apply to—

- (a) any act done pursuant to or in the intended exercise of powers conferred by the fruit fly regulations, if such act is done on land while the removal of fruit therefrom is prohibited by the said proclamation ;
- (b) any act done in the course of or incidentally to the doing of any such act as mentioned in paragraph (a) of this subsection.

(3) This section shall apply to acts done and loss or damage caused whether before or after the passing of this Act.

6. Notwithstanding the provisions of subsection (1a) of section 5 of the principal Act, a notice of claim under that section for compensation under section 5 of this Act— Claim for compensation.

- (a) if the claim is for loss resulting from any act, shall be delivered to the committee before the first day of February, nineteen hundred and fifty-six ; or

(b) if the claim is for loss resulting from the prohibition of removing fruit from any land, shall be delivered to the committee before the first day of July, nineteen hundred and fifty-six.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. M. NAPIER, Lieutenant-Governor.